

Appl. No. : 10/022,558
Filed : December 14, 2001

REMARKS

The foregoing amendments and the following remarks are responsive to the March 18, 2008 Final Office Action. Claims 1, 2, 11, 15, and 38, are amended, Claims 3-9, 12-14, 16-37, and 39-49 remain as originally filed, Claim 10 is cancelled without prejudice, and Claims 50 and 51 were previously cancelled without prejudice. Thus, Claims 1-9 and 11-49 are presented for further consideration.

Comments on Telephonic Interview with Examiners Lastra and Myhre

Applicants thank Examiners Lastra and Myhre for extending the courtesy of conducting a telephonic interview with Applicants' representative, Bruce S. Itchkawitz, on June 16, 2008. The amendments and remarks herein are in accordance with this telephonic interview.

Response to Rejection of Claims 1, 3-21, 26-29, and 32-49 Under 35 U.S.C. § 102(e)

In the March 18, 2008 Final Office Action, the Examiner rejects Claims 1, 3-21, 26-29, and 32-49 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Appl. Pub. No. 2002/0152117 to Cristofalo et al. ("Cristofalo").

Applicants respectfully traverse this rejection. However, in the interest of expediting allowance of the present application, Applicants have amended Claims 1, 11, 15, and 38. Support for these amendments can be found in the application as originally filed, including but not limited to, paragraphs [0047]-[0048] and Figures 5 and 6. Applicants submit that Cristofalo does not disclose or suggest all the features of amended independent Claims 1 and 38 or dependent Claims 3-9, 11-21, 26-29, 32-37, and 39-49. Applicants respectfully request that the Examiner withdraw the rejection of Claims 1, 3-9, 11-21, 26-29, and 32-49 and pass these claims to allowance.

Response to Rejection of Claims 2, 22-25, 30, and 31 Under 35 U.S.C. § 103(a)

In the March 18, 2008 Final Office Action, the Examiner rejects Claims 2, 22-25, 30, and 31 under 35 U.S.C. § 103(a) as being unpatentable over Cristofalo in view of U.S. Patent Appl. Publ. No. 2006/0212904 to Klarfeld.

Applicants respectfully traverse this rejection. As described above, Applicants have amended independent Claims 1 and 38. Applicants submit that amended Claims 1 and 38 include features which are not disclosed or suggested by the combination of Cristofalo and Klarfeld, so that Claims 1 and 38 are patentable over the combination of Cristofalo and Klarfeld.

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Applicants respectfully request that the Examiner withdraw the rejection of dependent Claims 2, 22-25, 30, and 31 and pass these claims to allowance.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Summary

For at least the foregoing reasons, Applicants submit that Claims 1-9 and 11-49 are in condition for allowance, and Applicants respectfully request such action.

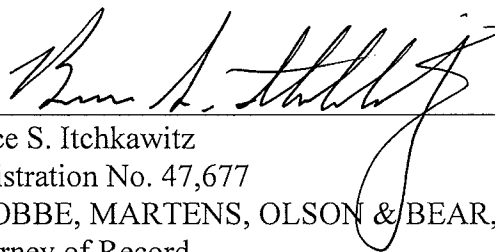
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

Dated: _____

8/12/08

By: _____



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